

**REMARKS**

The Examiner attached to the Office Action a Notice of References Cited, Form PTO-892. We note that under U.S. Patent Document, there is an error in the inventor name of US-4,230,758 (with handwritten correction). Specifically, "Tezuka, Akitomi" should read --Nagai et al--. The Examiner is respectfully requested to resend the document with the correct information.

In the Amendment, claim 2 has been amended to recite --a fluorine-containing monomer having a carbon-carbon double bond which is a fluorine-containing (meth)acrylate-. This amendment is supported by the specification, for example, at page 15, lines 23-24.

Claims 2 and 4 have been amended for clarity.

Claims 5, 6, 9 and 10 have been amended to change their dependency.

Claims 1 and 3 have been canceled.

No new matter has been added, and entry of the Amendment is respectfully requested. Upon entry of the Amendment, claims 2 and 4-11 will be all the claims pending in the application.

Claims 2-4 were objected to for informalities.

Applicants respectfully submit that amended claims 2 and 4 are in proper form. Specifically, in the Amendment, claims 2 and 4 have been amended to recite --a polymer comprising repeating units derived from ... monomer--. Claim 3 has been canceled. Accordingly, withdrawal of the objection is respectfully requested.

Claims 2, 2/5, 2/6, 7, 2/8, 2/9, 2/10 and 11 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Appln. No. 10/088,290  
Attorney Docket No. Q68961

Applicants respectfully submit that amended claims 2 and subsequent dependent claims 5-11 fully comply with the 112 requirements. Specifically, claim 2 has been amended to clarify that the polymer is obtained from monomers (B-i), (B-ii) and (B-iii), or (B-i), (B-ii) and (B-iv). Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1, 4-6 and 8 were rejected under 35 U.S.C. § 102(a) as being anticipated by Sato et al (WO 00/52251).

Applicants herewith submit a verified English translation of Applicants' priority document, i.e., JP 11-263591, to thereby perfect the claimed priority date of September 17, 1999, which is prior to the September 8, 2000 publication date of WO 00/52251. WO '251 is thus removed as prior art against the present claims. Present claim 2 is supported by claim 2 and at page 20 of JP '591, lines 22-25. Present claims 4-11 are supported by claims 4-11 of JP '591, respectively. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1, 3-6 and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by Allewaert et al (EP 438,886).

Applicants respectfully submit that amended claims 4 and subsequent dependent claims 5, 6 and 8 are not anticipated by EP '886 at least for the reason that EP '886 does not disclose component (E) recited in present claim 4, i.e., a fluorine-containing compound having a functional group reactive with the metal alkoxide. Claims 1 and 3 have been canceled. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1-3 and 5-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tsuda et al (U.S. Pat. No. 5,712,335).

Applicants respectfully submit that amended claims 2 and subsequent dependent claims 5-8 are not anticipated by Tsuda et al for at least the following reasons.

Tsuda et al discloses a copolymer obtained by copolymerizing a fluoroolfin such as VdF, TFE or CTFE, and a monomer copolymerizable therewith (col. 7, lines 17-26).

However, Tsuda et al does not disclose the use of component (B-iii), i.e., a fluorine-containing compound having a functional group reactive with the metal alkoxide, or (B-iv) a fluorine-containing monomer having a carbon-carbon double bond which is a fluorine-containing (meth)acrylate, as recited in present claim 2.

Claims 1 and 3 have been canceled.

In view of the above, withdrawal of the rejection is respectfully requested.

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Allewaert et al.

Applicants respectfully submit that claim 9 is patentable over Allewaert et al. In the Amendment, claim 9 has been amended to depend only from claim 2 which was not rejected over Allewaert et al. Particularly, Allewaert is silent on the combination of compounds defined in amended claim 2. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1-3, 5-8, 10 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagai et al (U.S. Pat. No. 4,230,758) in view of Tsuda et al.

Applicants respectfully submit that amended claims 2, 5-8, 10 and 11 are patentable over Nagai et al in view of Tsuda et al, for the same reasons above, because Nagai et al does not make up the deficiencies of Tsuda et al. Further, even if Nagai et al. is combined with Tsuda et al., one of ordinary skill could not readily arrive at the combination of components defined in amended claim 2. Claims 1 and 3 have been canceled. Accordingly, withdrawal of the rejection is respectfully requested.

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In view of the above, reconsideration and allowance of claims 2 and 4-11 are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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